



SO ORDERED.

SIGNED this 11 day of August, 2020.

A handwritten signature in blue ink, reading "David M. Warren".

David M. Warren
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

IN RE:

**AUSTIN MATTHEW JOHNSON
BETTY GIBBS JOHNSON**

**CASE NO.: 14-06350-5-DMW
CHAPTER 13**

ORDER TO DEEM MORTGAGE CURRENT

Based on the Trustee's Motion to Deem Mortgage Current the Court finds facts as follows:

1. The Debtors' Chapter 13 Plan was confirmed on January 21, 2015.
2. Ocwen Loan Servicing, LLC, subsequently assigned to BSI Financial Services, its successors and/or assigns ("BSI") filed a claim in this case secured by the Debtors' residence. The trustee has disbursed a total of \$21,522.78 to BSI representing contractual post-petition mortgage payments for the months of December, 2014 through November, 2017.
3. In addition to the contractual post-petition mortgage payments, BSI was also allowed a pre-petition arrearage claim in the amount of \$2,360.40. This claim has been paid in full.
4. BSI has advised the Trustee that the account is contractually current.
5. There are no other permissible fees, expenses or charges accruing on the Mortgage Loan from the Petition date through the date of this Motion that have not been paid.

6. BSI was served with a Notice of Final Cure Payment (“Notice”) complying with Fed. R. Bank. P. 3002.1(f) and (g).
7. BSI has filed a Response containing a statement agreeing with the information contained in the Trustee’s Notice.
8. The claim of BSI was allowed as a long-term nondischargeable debt pursuant to the provisions of 11 U.S.C. §1322(b)(5).
9. BSI should be required to treat the Debtors’ mortgage as reinstated and fully current in all obligations under the mortgage.
10. The Debtors have completed their plan.

THEREFORE, IT IS ORDERED:

1. That BSI is required to treat the Debtors’ mortgage as reinstated and fully current in all obligations under the mortgage as of November 31, 2017, with the balance of the loan as of December 1, 2017 determined to be \$61,781.48;
2. That this case be processed for closing; and
3. That the regular monthly payment due BSI be paid directly by the Debtors beginning December 1, 2017.

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